

114.4 CMR 12.00 RATES FOR FAMILY TRANSITIONAL SUPPORT SERVICES

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12.01: General Provisions

- (1) Scope. 114.4 CMR 12.00 governs the payment rates, effective October 1, 2009, for Family Transitional Support (FTS) Services purchased by a Governmental Unit
- (2) Disclaimer of Authorization of Services. 114.4 CMR 12.00 is neither authorization for nor approval of the services for which rates are determined pursuant to 114.4 CMR 12.00. Governmental units that purchase the services described herein are responsible for the definition, authorization, and approval of services extended to Clients.
- (3) Administrative Bulletins. The Division may issue administrative bulletins to clarify its policy on substantive provisions of 114.4 CMR 12.00.
- (4) Authority. 114.4 CMR 12.00 is adopted pursuant to M.G.L. c. 118G

12.02: Definitions

Meaning of Terms. As used in 114.4 CMR 12.00, unless the context requires otherwise, terms shall have the meanings ascribed in 114.4 CMR 12.02.

Client. A family that receives Family Transitional Supports services purchased by a governmental unit.

Cost Report. The document used to report costs and other financial and statistical data. The Uniform Financial Statements and Independent Auditor's Report (UFR) are used when required.

Division. The Division of Health Care Finance and Policy established under M.G.L. c. 118G

Family Residential Substance Abuse Treatment Service: An FTS service that provides a structured and comprehensive rehabilitative environment, in programs ranging in size from 12 to 16 family units. Such services support a resident's recovery from alcohol and/or other drug problems, support the family's recovery from the effects of substance use disorders, and encourage movement towards independence.

Family Transitional Support (FTS) Services. A service class of programs that provide families with temporary housing in a specialized congregate or individual setting, to enable stabilization and transition to a safe, permanent and self-sufficient home environment.

Governmental Unit. The Commonwealth, any board, commission, department, division, or agency of the Commonwealth and any political subdivision of the Commonwealth.

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Provider. Any individual, group, partnership, trust, corporation or other legal entity that offers services for purchase by a Governmental Unit and that meets the conditions of purchase or licensure that have been or may be adopted by a purchasing Governmental Unit.

Reporting Year. The Provider's fiscal year for which costs incurred are reported to the Operational Services Division on the Uniform Financial Statements and Independent Auditor's Report (UFR).

12.03: Rate Provisions

- (1) Services included in the Rate. The approved rate shall include payment for all care and services that are part of the program of services of an eligible provider, as explicitly set forth by the purchasing governmental unit(s).
- (2) Reimbursement as Full Payment. Each eligible provider shall, as a condition of payment by any purchasing governmental unit, accept the approved rate as full payment and discharge of all obligations for the services rendered. Payment by the purchasing governmental unit for services rendered to the client shall be reduced by the amount of any payment by any other source.
- (3) Payment Limitations. No purchasing governmental unit may pay less than or more than the approved rate.
- (4) Approved Rates. The approved rate shall be the lower of the provider's charge or amount accepted as payment from another payer or the rate listed below:

Family Residential Substance Abuse Treatment Services:

- A program that provides services to 12 family units: \$184.12 per family, per day
- A program that provides services to 13 family units: \$179.89 per family, per day
- A program that provides services to 15 family units: \$172.59 per family, per day
- A program that provides services to 16 family units: \$169.85 per family, per day

12.04: Filing and Reporting Requirements

- (1) General Provisions.
 - (a) Accurate Data. All reports, schedules, additional information, books, and records that are filed or made available to the Division shall be certified under pains and penalties of perjury as true, correct and accurate by the Executive Director or Chief Financial Officer of the Provider.
 - (b) Examination of Records. Each Provider shall make available to the Division or purchasing Governmental Unit upon request all records relating to its reported costs, including costs of any entity related by common ownership or control.
- (2) Required Reports. Each Provider must file :
 - (a) an annual Uniform Financial Statement and Independent Auditor's report completed in accordance with the filing requirements of Division of Purchased Services Regulation 808 CMR 1.00;
 - (b) any Cost Report supplemental schedule as issued by the Division; and
 - (c) any additional information requested by the Division within 21 days of a written request.
- (3) Penalties. The Division may reduce the payment rates by 25% for any Provider that fails to submit required information, subject to the approval of the purchasing governmental unit. The Division will notify the

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Provider in advance of its intention to impose a rate reduction. The rate reduction will remain in effect until the required information is submitted to the Division.

12.05: Severability of the Provisions of 114.4 CMR 12.00

The provisions of 114.4 CMR 12.00 are severable. If any provision of 114.4 CMR 12.00 or application of such provision to any eligible provider or fiscal intermediary is held invalid or unconstitutional, such determination will not affect the validity or constitutionality of any remaining provisions of 114.4 CMR 12.00 or application of such provisions to eligible providers or fiscal intermediaries in circumstances other than those held invalid.

REGULATORY AUTHORITY

114.4 CMR 12.00: M.G.L. c 118G